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Atty. Dkt. No. 040405-0334

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masahiko HONDA

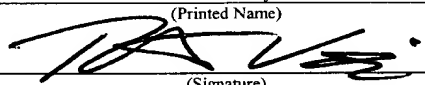
Title: ELECTRONIC MAIL TRANSFER
DEVICE AND SYSTEM,
ELECTRONIC MAIL TRANSFER
METHOD

Appl. No.: 09/812,816

Filing Date: 03/21/2001

Examiner: Swearingen, Jeffrey R.

Art Unit: 2145

CERTIFICATE OF EXPRESS MAILING	
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EV 445622765 US (Express Mail Label Number)	September 20, 2005 (Date of Deposit)
Ruthie Vallejo (Printed Name)	
 (Signature)	

APPEAL BRIEF TRANSMITTAL

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a brief on appeal in the above-identified application.

☒ Appeal Brief Under 37 CFR §41.37.

☐ Extension of Time.

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00	\$0.00
	EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/>	Appeal Brief Fee under 37 CFR §41.47		\$500.00
	TOTAL FEE:		\$500.00

☐ Please charge Deposit Account No. 50-0872 in the amount of \$500.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$500.00 is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

9-20-05

FOLEY & LARDNER LLP

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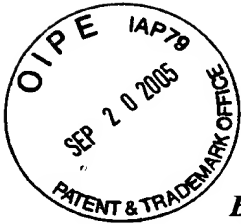
By

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Atty. Dkt. No. 040405-0334

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant: Masahiko HONDA

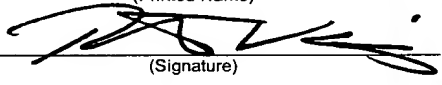
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EV 445622765 US (Express Mail Label Number)	September 20, 2005 (Date of Deposit)
Ruthie Vallejo (Printed Name)	
 (Signature)	

APPEAL BRIEF UNDER 37 CFR § 41.37

Mail Stop Appeal Brief - Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under the provisions of 37 C.F.R. § 41.37, this Appeal Brief is being filed together with a check in the amount of \$500.00 covering the 37 C.F.R. 41.20(b)(2) appeal fee. If this fee is deemed to be insufficient, authorization is hereby given to charge any deficiency (or credit any balance) to the undersigned deposit account 19-0741.

I. REAL PARTY IN INTEREST:

The present application is assigned to NEC Corporation. The address of the headquarters of NEC Corporation is 7-1, Shiba 5-chome, Minato-ku, Tokyo, Japan.

II. RELATED APPEALS AND INTERFERENCES:

There are no related appeals or interferences.

III. STATUS OF CLAIMS:

Claims 1-30 are rejected. Claims 1-30 are being appealed.

IV. STATUS OF AMENDMENTS:

Applicant filed a reply subsequent to final rejection, but did not make any claim amendments subsequent to final rejection. The Examiner indicated in the Advisory Action mailed June 29, 2005, that the request for reconsideration has been considered, but does not place the application in condition for allowance.

V. SUMMARY OF CLAIMED SUBJECT MATTER:

A. Overview:

Fundamental to all of applicant's independent claims is a concept illustrated in applicant's figures. As illustrated in FIG. 1, a sending terminal (3) may send an electronic mail through a communication line, such as the Internet (2), to an electronic mail transfer device (1). The electronic mail may include **text data**, and data other than text data, such as, for example, **graphic data**.

A specified recipient of the electronic mail, such as the receiving terminal (21), may have, for example, limited communication resources. For instance, the receiving terminal (21) may be a portable telephone that receives data at a **low data transfer rate** and that has a **high communication fee** for network connection time. Thus, it may be preferable to **limit** an amount of data that is transmitted to the receiving terminal (21) without first receiving a **request for specific data** from the receiving terminal (21).

While text data in an electronic mail may usually be of a **small data size**, other types of data, such as graphic data, may usually be of **larger data sizes**. Thus, if a electronic mail is sent from the sending terminal (3) that includes, for example, both text data and graphic data, the electronic mail may **take a long time** for the receiving terminal (21) to download due to a possibly **large size** of the graphic data.

An electronic mail transfer device in accordance with embodiments of the present invention addresses such a problem. For example, if the sending terminal (3) sends an electronic mail that includes **both** text data and graphic data, the electronic mail transfer device (1) **separates** the **text data** from the **graphic data** in the checking and separating unit (112) of the receiving server (11). The electronic mail transfer device (1) then stores the graphic data in a storing means (133) and obtains an **identifier**, such as a **URL**, that permits for retrieval of the stored graphic data from the storing means (133).

The electronic mail transfer device (1) then inserts the identifier into the text data, such as by inserting a URL into the text data, and then sends **only the text data with the inserted identifier** to the receiving terminal (21). Thus, for example, the graphic data would **not initially** be sent to the receiving terminal (21), but would be stored in the storing means (133) of the electronic mail transfer device (1).

By only sending the **text data** of the electronic mail with the **inserted identifier** to the receiving terminal (21), a **download time** for downloading the text and the identifier to the receiving terminal (21) is **reduced** as compared to, for example, a download time for downloading both the text data and the **larger** graphic data. After the receiving terminal (21) downloads only the text data with the inserted identifier, a user of the receiving terminal (21) **may then determine**, for example, **whether or not** the additional graphic data is also desired.

In the example, if the user of the receiving terminal (21) also desires to download the graphic data, the user may then use the received identifier, such as a URL, to download the graphic data that has been stored in the storing means (133) of the electronic mail transfer device (1). On the other hand, if the user of the receiving terminal (21) does not desire to download the graphic data, then the user **does not have to download** the graphic data and, as a result, the user may **conserve communication resources**. (Specification; page 1, line 11 to page 3, line 3; page 3, lines 6-10; page 10, lines 6-20; page 11, lines 2-16; page 15, line 22 to page 17, line 4; FIGs. 1-5).

B. Independent Claim 1:

i. Summary:

Independent claim 1 captures the essence of embodiments as described above in the overview section and can be summarized with reference to FIGs. 1 and 2. As illustrated in FIG. 1, an electronic mail transfer device (1) receives an electronic mail sent from a sending terminal (3) through a communication line (2) and sends at least a portion of the received electronic mail to a receiving terminal (21, 22) through the communication line (2) according to an address of a destination party attached to the electronic mail. (Specification; page 9, lines 14-25).

Also, as illustrated in FIGs. 1 and 2, the electronic mail transfer device (1) includes a **means for separating** (11, 112) the electronic mail into **first data** including **text data** and **second data** when the received electronic mail includes the second data. (Specification; page 10, lines 14-20; page 11, lines 5-9 and lines 17-21; page 13, lines 3-10; FIG. 2, reference 112; FIG. 5, reference S503).

Thus, an electronic mail transfer device in accordance with claim 1 allows for **separating** an electronic mail into **first data** including text data and **second data** when the received electronic mail includes the second data. For example, if an electronic mail is sent that includes **both text data** and **graphic data**, then the electronic mail can be **separated** into the **text data** and the **graphic data**. (Specification; page 10, lines 14-17).

Furthermore, as illustrated in FIGs. 1 and 2, the electronic mail transfer device (1) includes a means for inserting (11, 113) an **identifier associated with the second data** into the first data. (Specification; page 11, lines 13-14; page 13, lines 10-13; page 14, lines 1-10 and lines 12-23; FIG. 2, reference 113; FIG. 5, reference S508). The inserted identifier may be, for example, a **URL** that **permits retrieval** of the second data. (FIG. 5, reference S508).

Also, as illustrated in FIG. 1, the electronic mail transfer device (1) includes a means for sending (12) **only** the **first data** with the **identifier** to the receiving terminal. (Specification; page 10, lines 9-11; page 15, lines 9-16; FIG. 1, reference 12).

ii. Support for means recitations:

<u>Claim 1 Means Recitations:</u>	<u>Corresponding Structure in Application:</u>
means for separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;	Checking and Separating Unit; (Specification; page 10, lines 14-20; page 11, lines 5-9 and lines 17-21; page 13, lines 3-10; FIG. 2, reference 112; FIG. 5, reference S503).
means for inserting an identifier associated with the second data into the first data; and	Synthesizing Unit; (Specification; page 11, lines 13-14; page 13, lines 10-13; page 14, lines 1-10 and lines 12-23; FIG. 2, reference 113; FIG. 5, reference S508).
means for sending only the first data with the identifier to the receiving terminal;	Mail Server; (Specification; page 10, lines 9-11; page 15, lines 9-16; FIG. 1, reference 12).

C. Independent Claim 8:**i. Summary:**

Independent claim 8 recites an electronic mail transfer system provided with an electronic mail transfer device with similar features as features of an electronic mail transfer device of independent claim 1. Therefore, the summary provided above with respect to independent claim 1 also applies with respect to independent claim 8.

ii. Support for Means Recitations:

<u>Claim 8 Means Recitations:</u>	<u>Corresponding Structure in Application:</u>
means for separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;	Checking and Separating Unit; (Specification; page 10, lines 14-20; page 11, lines 5-9 and lines 17-21; page 13, lines 3-10; FIG. 2, reference 112; FIG. 5, reference S503).
means for inserting an identifier associated with the second data into the first data; and	Synthesizing Unit; (Specification; page 11, lines 13-14; page 13, lines 10-13; page 14, lines 1-10 and lines 12-23; FIG. 2, reference 113;

	FIG. 5, reference S508).
means for sending only the first data with the identifier to the receiving terminal;	Mail Server; (Specification; page 10, lines 9-11; page 15, lines 9-16; FIG. 1, reference 12).

D. Independent Claim 15:

Independent claim 15 captures the essence of embodiments of the present invention as described above in the overview section and can be summarized with reference to FIG. 5. As illustrated in the example flowchart of FIG. 5, an electronic mail is **separated** into **first data** including **text data** and **second data** when the received electronic mail includes the second data (step S503). Also, an identifier associated with the second data is inserted into the first data that permits retrieval of the second data by the receiving terminal (step S508). In addition, it is possible to send **only the first data with the identifier** to the receiving terminal. (Specification; page 12, line 25 to page 14, line 11; page 15, lines 9-16).

E. Independent Claim 23:

Independent claim 23 captures the essence of embodiments of the present invention as described above in the overview section and can be summarized with reference to FIGs. 1-3. FIG. 1 illustrates an example embodiment of an electronic mail transfer device (1) for receiving a first electronic mail from a sending terminal (3) and sending a second electronic mail to a receiving terminal (21, 22). (Specification; page 9, lines 14-25).

As illustrated in FIGs. 1 and 2, a checking and separating unit (112) **separates** the first electronic mail into **first data** and **second data**. (Specification; page 10, lines 14-20; page 11, lines 5-9 and lines 17-21; page 13, lines 3-10; FIG. 2, reference 112; FIG. 5, reference S503). Also, as illustrated in FIGs. 1 and 3, a **storing unit**, such as the attached file server (13), **stores the second data**. (Specification; page 10, lines 12-13; page 11, line 27 to page 12, line 12; page 13, lines 14-25; page 16, lines 2-18; FIG. 3, reference 133; FIG. 5, reference S506).

Moreover, as illustrated in FIGs. 1 and 2, a synthesizing unit generates the second electronic mail by **inserting an identifier** associated with the second data into the first data. (Specification; page 11, lines 13-14; page 13, lines 10-13; page 14, lines 1-10 and lines 12-23; FIG. 2, reference 113; FIG. 5, reference S508). The second electronic mail comprises the **first data** with the **inserted identifier**, and the identifier permits for retrieval of the second data from the storage unit. (Specification; page 16, line 23 to page 17, line 13).

F. Independent Claim 29:

i. Summary:

Independent claim 29 recites an electronic mail transfer device with similar features as features of an electronic mail transfer device of independent claim 1. Therefore, the summary provided above with respect to independent claim 1 also applies with respect to independent claim 29.

ii. Support for Means Recitations:

<u>Claim 29 Means Recitations:</u>	<u>Corresponding Structure in Application:</u>
means for separating the electronic mail into first data and second data;	Checking and Separating Unit; (Specification; page 10, lines 14-20; page 11, lines 5-9 and lines 17-21; page 13, lines 3-10; FIG. 2, reference 112; FIG. 5, reference S503).
means for inserting an identifier associated with the second data into the first data; and	Synthesizing Unit; (Specification; page 11, lines 13-14; page 13, lines 10-13; page 14, lines 1-10 and lines 12-23; FIG. 2, reference 113; FIG. 5, reference S508).
means for sending the first data with the identifier and without the second data to the receiving terminal;	Mail Server; (Specification; page 10, lines 9-11; page 15, lines 9-16; FIG. 1, reference 12).

G. Independent Claim 30:

An electronic mail transfer method in accordance with independent claim 30 allows for: (i) **separating** an electronic mail into **first data** and **second data**; (ii) inserting an identifier associated with the second data into the first data that permits retrieval of the second data by the receiving terminal; and (iii) sending the **first data with the identifier and without the second data** to the receiving terminal. (Specification; page 12, line 25 to page 14, line 11; page 15, lines 9-16; FIG. 5). Thus, the **first data** can be **separated from** the **second data** and the first data can be sent with the identifier and **without the second data** to the receiving terminal.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL:

Claims 1-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Pannu (U.S. Patent Number 6,735,741). Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pannu.

VII. ARGUMENT:

A. Rejection of claims 1-30 under 35 U.S.C. 102(e):

i. Claims 1-30:

Independent claim 1 recites an electronic mail transfer device which receives an electronic mail sent from a sending terminal through a communication line and sends at least a portion of the received electronic mail to a receiving terminal through the communication line according to an address of a destination party attached to the electronic mail, comprising:

“**means for separating** the electronic mail into first data including **text data** and **second data** when the received electronic mail includes the second data;

means for inserting an identifier associated with the second data into the first data; and

means for sending **only** the **first data with the identifier** to the receiving terminal;

wherein the identifier **permits retrieval** of the second data by the receiving terminal.” (Emphasis Added).

Pannu neither discloses nor suggests an electronic mail transfer device including the above-quoted features. In particular, Pannu neither discloses nor suggests a **means for separating** an electronic mail into **first data** including **text data** and **second data** when the received electronic mail includes the second data.

The Examiner points to Pannu (Abstract; column 1, lines 21-30; column 1, lines 35-50; column 2, lines 15-20; column 2, lines 29-31; column 2, lines 34-38; and column 4, lines 35-47) as disclosing the above-quoted features. Also, the Examiner states that, “Pannu discloses an e-mail message with a link to another portion of data stored externally from the e-mail message, which can be retrieved upon activating said link.” (Final Office Action; pages 2-3).

However, even though Pannu does disclose that an e-mail message may **contain a link** to another document stored externally from the e-mail message, which can be retrieved upon activating the link, such a disclosure does **not** disclose a **means for separating** an electronic mail into **first data** including **text data** and **second data** when the received electronic mail includes the second data. (Pannu; column 1, lines 36-50). Instead, in the system of Pannu, when a message or document 14 is created, **the creator of the message simply embeds a link** 16 into the document 14, where the link 16 addresses another document 18. (Pannu; FIG. 1; column 4, lines 34-39; column 5, lines 53-61). The document 14 and the document 18 in the system of Pannu **were never combined in a single e-mail message and separated** by the system of Pannu, but rather were **always two different documents**, and the system of Pannu **never performs separation** of the document 14 and the document 18 from a **single e-mail** message. (Pannu; FIG. 1; column 1, lines 36-50; column 2, lines 15-18; column 4, line 33 to column 6, line 2; column 8, lines 35-37).

In the reply filed on June 15, 2005, applicant requested that the Examiner specifically point out what he considers to be the **means for separating** in the system of Pannu. In the Advisory Action mailed June 29, 2005, the Examiner stated that, “[t]he Examiner has already shown that claim 1 is taught by Pannu in the final office action, paragraph 6, and specifically

in Pannu, column 2, lines 15-27 where the data is processed.” Pannu, column 2, lines 15-27 states the following:

“To overcome the limitations in the prior art described above, preferred embodiments disclose a system, method, and program for linking to data from a document that **includes a pointer** to the data in a first storage device. A first **request to access** the data addressed by the pointer in the document is **processed**. Information on alternate storage devices and data therein is processed to determine whether a copy of the data is present in a second storage device. A second request is submitted to access the copy of the data in the second storage device after determining that the information indicates that the second storage device includes the data. The accessed copy of the data, received in response to the second request, is then returned to the first request.” (Pannu; column 2, lines 15-27) (Emphasis Added).

In the above-quoted portion of Pannu, the data that is addressed by the pointer is **already in a different location** than the document that includes the pointer. (Pannu; column 2, lines 15-18). As such, in the system of Pannu, there is no **means for separating** the data addressed by the pointer from the document that includes the pointer, because they are **never located in a same e-mail message**. The processing referred to in the above-quoted portion of Pannu is simply a processing to **receive the data** addressed by the pointer when the data is **requested**. (Pannu; column 2, lines 18-27). More specifically, if the pointer addresses data located in a first storage device and the data is requested, the system of Pannu determines whether a copy of the data is present in a second storage device, and if the data is present in the second storage device, then the copy of the data is returned. (Pannu; column 2, lines 20-27). Such processing in Pannu does **not** include **separating** electronic mail into **first data** including **text data** and **second data** when the received electronic mail includes the second data.

Of course, applicant appreciates that the system of Pannu does disclose that a document can **contain a link** to another document. However, applicant is not **simply** claiming that a document can **contain a link** to another document, per se. Instead, an important part of applicant’s claims is the **separation** of a received electronic mail into **first data**, such as **text data**, and **second data**. The Examiner seems to be ignoring this important part of applicant’s claims.

For example, if an electronic mail that includes, for example, both text data and graphic data is received by an electronic mail transfer device such as a device as claimed in independent claim 1, then the electronic mail transfer device **separates the text data** from the **graphic data** and only initially sends the **text data** with an **inserted identifier** to a receiving terminal. Then, for example, a user of the receiving terminal may determine whether or not the graphic data is desired, and if the graphic data is not desired, then the **graphic data does not have to be downloaded**, which conserves communication resources. On the other hand, if the graphic data is desired, then the identifier would permit retrieval of the graphic data by the receiving terminal.

Under 35 U.S.C. 102(e), to anticipate a claim, a reference must teach every element of the claim. (MPEP Section 2131). “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Pannu does not teach a **means for separating** an electronic mail into **first data** including text data and **second data** when the received electronic mail includes the second data and, thus, the rejection under 35 U.S.C. 102(e) cited above fails and independent claim 1 is believed to be allowable.

Independent claim 8 recites an electronic mail transfer system provided with an electronic mail transfer device with similar features as features of an electronic mail transfer device of independent claim 1. Thus, independent claim 8 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 15 recites an electronic mail transfer method with similar features as features of an electronic mail transfer device of independent claim 1. Thus, independent claim 15 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 23 recites an electronic mail transfer device with similar features as features of an electronic mail transfer device of independent claim 1. Thus, independent

claim 23 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 29 recites an electronic mail transfer device with similar features as features of an electronic mail transfer device of independent claim 1. Thus, independent claim 29 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

Independent claim 30 recites an electronic mail transfer method with similar features as features of an electronic mail transfer device of independent claim 1. Thus, independent claim 30 is believed to be allowable for at least the same reasons that independent claim 1 is believed to be allowable.

The dependent claims are deemed allowable for at least the same reasons indicated above with regard to the independent claims from which they depend.

B. Rejection of claim 28 under 35 U.S.C. 103(a):

i. Claim 28:

Dependent claim 28 recites the electronic mail transfer device of claim 23, “wherein the identifier is inserted into the first data by appending the identifier to an end of the first data.”

As argued above with respect to independent claim 1, Pannu does not teach a **means for separating** an electronic mail into **first data** and **second data**. Independent claim 23, from which claim 28 depends, recites among other features, “a checking and separating unit for **separating** the first electronic mail into **first data** and **second data**”. (Emphasis Added). Pannu does not disclose or suggest a checking and separating unit for **separating** a first electronic mail into **first data** and **second data**. Instead, Pannu is only concerned with **retrieving data** that is addressed by a pointer, where the pointer is **already embedded** in a document. (Pannu; abstract).

Because Pannu neither discloses nor suggests a checking and separating unit for separating a first electronic mail into first data and second data, the rejection of dependent claim 28 under 35 U.S.C. 103(a) must fail. Therefore, dependent claim 28 is believed to be allowable.

CONCLUSION:

For the foregoing reasons, applicant respectfully requests the Board of Patent Appeals to overturn all of the rejections.

Respectfully submitted,

Date

9-20-05

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VIII. CLAIMS APPENDIX:

1. (Previously Presented) An electronic mail transfer device which receives an electronic mail sent from a sending terminal through a communication line and sends at least a portion of the received electronic mail to a receiving terminal through the communication line according to an address of a destination party attached to the electronic mail, comprising:

means for separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;

means for inserting an identifier associated with the second data into the first data; and

means for sending only the first data with the identifier to the receiving terminal;

wherein the identifier permits retrieval of the second data by the receiving terminal.

2. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, further comprising:

means for storing the second data;

wherein the first data with the identifier inserted therein is sent by said sending means to the receiving terminal through the communication line.

3. (Previously Presented) An electronic mail transfer device as set forth in Claim 2, wherein

the second data stored in said storing means is sent to the receiving terminal or deleted from the storing means in response to a request from the receiving terminal.

4. (Previously Presented) An electronic mail transfer device as set forth in Claim 2, further comprising:

means for assigning a temporary tag for the second data and placing the temporary tag into the first data when the second data is separated from the first data,

said inserting means replacing the temporary tag with the identifier that permits retrieval of the second data.

5. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, wherein the communication line comprises the Internet.
6. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, wherein the second data comprises an attached file.
7. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, wherein the second data comprises at least one of graphic data and a computer executable program.
8. (Previously Presented) An electronic mail transfer system provided with an electronic mail transfer device for receiving an electronic mail sent from a sending terminal through a communication line and sending at least a portion of the received electronic mail to a receiving terminal through the communication line according to an address of a destination party attached to the electronic mail, a plurality of the sending terminals for sending the electronic mail to the electronic mail transfer device through the communication line, and a plurality of the receiving terminals for receiving the at least a portion of the electronic mail sent from the electronic mail transfer device through the communication line, in which the electronic mail transfer device comprises:
 - means for separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;
 - means for inserting an identifier associated with the second data into the first data; and
 - means for sending only the first data with the identifier to the receiving terminal;wherein the identifier permits retrieval of the second data by the receiving terminal.
9. (Previously Presented) An electronic mail transfer system as set forth in Claim 8, wherein the electronic mail transfer device further comprises:
 - means for storing the second data;wherein the first data with the identifier inserted therein is sent by said sending means to the receiving terminal through the communication line.

10. (Previously Presented) An electronic mail transfer system as set forth in Claim 9, wherein the electronic mail transfer device
sends the second data associated with the identifier in the first data and stored in said storing means to the receiving terminal or deletes the same data from the storing means in response to a request from the receiving terminal.

11. (Previously Presented) An electronic mail transfer system as set forth in Claim 9, wherein the electronic mail transfer device further comprises:
means for assigning a temporary tag for the second data and placing the temporary tag into the first data when the second data is separated from the first data,
said inserting means replacing the temporary tag with the identifier that permits retrieval of the second data.

12. (Previously Presented) An electronic mail transfer system as set forth in Claim 8, wherein the communication line comprises the Internet.

13. (Previously Presented) An electronic mail transfer system as set forth in Claim 8, wherein the second data comprises an attached file.

14. (Previously Presented) An electronic mail transfer system as set forth in Claim 8, wherein the second data comprises at least one of graphic data and a computer executable program.

15. (Previously Presented) An electronic mail transfer method for receiving an electronic mail sent from a sending terminal through a communication line and sending at least a portion of the received electronic mail to a receiving terminal through the communication line according to an address of a destination party attached to the electronic mail, comprising the steps of:

separating the electronic mail into first data including text data and second data when the received electronic mail includes the second data;

inserting an identifier associated with the second data into the first data that permits retrieval of the second data by the receiving terminal; and
sending only the first data with the identifier to the receiving terminal.

16. (Previously Presented) An electronic mail transfer method as set forth in Claim 15, further comprising:

storing the second data; and
sending the first data with the identifier inserted therein to the receiving terminal through the communication line.

17. (Previously Presented) An electronic mail transfer method as set forth in Claim 16, further comprising:

sending the second data associated with the identifier inserted in the first data and stored in said storing means to the receiving terminal or deleting the same data from the storing means in response to a request from the receiving terminal.

18. (Previously Presented) An electronic mail transfer method as set forth in Claim 16, further comprising:

assigning a temporary tag for the second data and placing the temporary tag into the first data when the second data is separated from the first data; and
replacing the temporary tag with the identifier that permits retrieval of the second data.

19. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, wherein the identifier comprises a URL.

20. (Previously Presented) An electronic mail transfer device as set forth in Claim 1, wherein the identifier is inserted into the first data by appending the identifier to an end of the first data.

21. (Previously Presented) An electronic mail transfer system as set forth in Claim 8, wherein the identifier comprises a URL.

22. (Previously Presented) An electronic mail transfer method as set forth in Claim 15, wherein the identifier comprises a URL.

23. (Previously Presented) An electronic mail transfer device for receiving a first electronic mail from a sending terminal and sending a second electronic mail to a receiving terminal, the device comprising:

a checking and separating unit for separating the first electronic mail into first data and second data;

a storing unit for storing the second data; and

a synthesizing unit for generating the second electronic mail by inserting an identifier associated with the second data into the first data;

wherein the second electronic mail comprises the first data with the inserted identifier; and

wherein the identifier permits for retrieval of the second data from the storage unit.

24. (Previously Presented) The electronic mail transfer device of claim 23, wherein the first data comprises text data.

25. (Previously Presented) The electronic mail transfer device of claim 23, wherein the second data comprises an attached file.

26. (Previously Presented) The electronic mail transfer device of claim 23, wherein the second data comprises at least one of graphics data and a computer executable program.

27. (Previously Presented) The electronic mail transfer device of claim 23, wherein the identifier comprises a URL.

28. (Previously Presented) The electronic mail transfer device of claim 23, wherein the identifier is inserted into the first data by appending the identifier to an end of the first data.

29. (Previously Presented) An electronic mail transfer device which receives an electronic mail sent from a sending terminal and sends at least a portion of the received electronic mail to a receiving terminal, comprising:

means for separating the electronic mail into first data and second data;

means for inserting an identifier associated with the second data into the first data; and

means for sending the first data with the identifier and without the second data to the receiving terminal;

wherein the identifier permits retrieval of the second data by the receiving terminal.

30. (Previously Presented) An electronic mail transfer method for receiving an electronic mail sent from a sending terminal and sending at least a portion of the received electronic mail to a receiving terminal, comprising the steps of:

separating the electronic mail into first data and second data;

inserting an identifier associated with the second data into the first data that permits retrieval of the second data by the receiving terminal; and

sending the first data with the identifier and without the second data to the receiving terminal.

IX. EVIDENCE APPENDIX:

No evidence is being submitted pursuant to 37 CFR §§ 1.130, 1.131, or 1.132. There is no evidence for the evidence appendix.

X. RELATED PROCEEDINGS APPENDIX:

There are no related appeals or interferences, so there are no copies of decisions needed for the related proceedings appendix.